

**CHAPTER XIII**

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**PART 1**  
**PROHIBITED WASTES**

§101 Definitions.

- 101.1 ALCOSAN: Allegheny County Sanitary Authority including its treatment facility and any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature.
- 101.2 Corrosive waste: A waste or substance which has any of the following properties:
- 101.2.1 It is aqueous and has a pH of less than or equal to 5 or greater than or equal to 10, as determined by pH meter.
- 101.2.2 It is a liquid and corrodes steel (SAE1020) at a rate greater than 6.35 mm (0.250 in.) per year at a test temperature of 55°C (130°F).
- 101.3 Reactive/explosive waste: A waste or substance which can create an explosion hazard in the sewage collection system or the ALCOSAN treatment facility; which has any of but is not limited to the following properties:
- 101.3.1 It is normally unstable and readily undergoes violent change without detonating.
- 101.3.2 It reacts violently with water.
- 101.3.3 It forms potentially explosive mixtures with water.
- 101.3.4 When mixed with water, it generates toxic gasses, vapors or fumes in a quantity sufficient to present a danger to human health or the environment.
- 101.3.5 It is a cyanide or sulfide bearing waste which can generate toxic gasses, vapors, or fumes in a quantity sufficient to present a danger to human health or the environment.
- 101.3.6 It is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement.
- 101.3.7 It is readily capable of detonation, explosive decomposition or reaction at standard temperature and pressure.
- 101.3.8 It is a forbidden explosive as defined in 40 CFR 173.51, or a Class A explosive as defined in 49 CFR 173.53 or a Class B explosive as defined in 49 CFR 173.88.

- 101.4 Hazardous Waste: All wastes that are defined as hazardous under the regulations enacted pursuant to the Resource Conservation and Recovery Act (RCRA) as specified in 40 CFR 261 or under the regulations promulgated pursuant to the Pennsylvania Solid Waste Management act as specified in 25 PA Code 261.
- 101.5 Ignitable Waste: A waste or substance which can create a fire hazard in the sewage collection system or the ALCOSAN Treatment Facility which has any of but is not limited to the following properties:
- 101.5.1 It is liquid with a flash point less than 60°C (140°F) using the test methods specified in 40 CFR 261.21.
- 101.5.2 It is an oxidizer as defined in 49 CFR 173.151.
- 101.6 Interference: A discharger originating in the Municipality which, alone or in conjunction with a discharge or discharges from other sources, both:
- 101.6.1 Inhibits or disrupts the ALCOSAN facilities, its treatment processes or operations or its sludge processes, use or disposal; and
- 101.6.2 Therefore is a cause of a violation of any requirement of ALCOSAN’s National Pollutant Discharge Elimination System (hereinafter referred to as “NPDES”) Permit (including an increase in the magnitude of sewage sludge use or disposal by ALCOSAN in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations); Section 405 of the Clean Water Act, the Solid Waste Disposal Act (including Title 2 or more commonly referred to as the Resource Conservation and Recovery Act and including state regulations contained in and State Sludge Management Plan prepared pursuant to subtitle D of the Solid Waste Disposal Act), the Clean Air Act, and the Toxic Substances Control Act.
- 101.7 Pass-through: Any discharge of a pollutant through ALCOSAN into the waters of the Commonwealth of Pennsylvania in quantities or concentrations which, alone or in conjunction with other discharges from other sources, is a cause of a violation of any requirement of the ALCOSAN’s NPDES Permit (including an increase in the magnitude or duration of a violation).
- 101.8 Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, Governmental Entity, or any other legal entity, or its legal representatives, agents or assigns.

- 101.9 PH: The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.
- 101.10 Pollutant: Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, emissions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt or other industrial, municipal or agricultural waste discharged in water.
- 101.11 Pollution: The man-made or man-induced alteration of the chemical, physical, biological, and/or radiological integrity of water.
- 101.12 The Act: The Federal Water Pollution Control Act also known as The Clean Water Act, as amended, 33 USC 1251 et. seq.
- 101.13 Toxic Pollutant: Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA, pursuant to Section 307(A) of the Act.
- 101.14 Waste water: The liquid and water carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is contributed directly or indirectly into the facilities of ALCOSAN.
- 101.15 Waters of the Commonwealth: All streams, lakes, ponds, marshes, water courses, water ways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the Commonwealth of Pennsylvania or any portion thereof.

§102 Unlawful Discharge into Sewer System.

- 102.1 No person shall introduce or cause to be introduced directly or indirectly into the facilities of ALCOSAN or into any sewer, pipe or other conveyance located in the Municipality and transmitting substances into the facilities of ALCOSAN, any toxic pollutant or other wastewater which will:
  - 102.1.1 Cause interference with the operation or performance of ALCOSAN's treatment plant or other facilities; or
  - 102.1.2 Pass through ALCOSAN's treatment plant or other facilities.
- 102.2 No person shall introduce, permit or cause to be introduced, directly or indirectly, into the facilities of ALCOSAN or into any piped sewer, pipe or other conveyance located in the Municipality and transmitting substances into the facilities of ALCOSAN any of the following:

- 102.2.1 Any substance which will endanger the life, health or safety of the treatment plant sewer maintenance and plant operations personnel or which would preclude safe entry into the sewer system or any portion of the treatment plant.
- 102.2.2 Any ignitable, reactive, explosive, corrosive, or hazardous waste, except as provided for by ALCOSAN's Rules and Regulations.
- 102.2.3 Any wastewater with a temperature greater than 140°F (60°C).
- 102.2.4 Any waste which exceeds the naturally occurring background levels of either Alpha, Beta, or Gamma radiation and/or any wastewater containing any radioactive wastes or isotopes of such half life or concentration not in compliance with applicable State or Federal regulations.
- 102.2.5 Any solids or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operations of ALCOSAN's facility or facilities discharging into the ALCOSAN system.
- 102.2.6 Any noxious or malodorous liquids, gasses or solids which either singly or by interaction with other wastes may create a public nuisance or adversely affect public health or safety.
- 102.2.7 Pathological wastes from a hospital or other medical establishment.
- 102.2.8 Garbage, whether ground or not, except properly shredded food waste garbage resulting from the proper use of a garbage grinder or disposal type approved by ALCOSAN and maintained in good operating condition.
- 102.2.9 Sludges or other materials from septic tanks or similar facilities or from sewage or industrial waste treatment plants or from water treatment plants: unless the discharge of such sludges and other materials is specifically approved by ALCOSAN.
- 102.2.10 Any pollutant, including oxygen demanding pollutants, released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the ALCOSAN facilities.
- 102.2.11 Any substance which will cause ALCOSAN's effluent or any other product of the ALCOSAN facilities such as residues, sludges, or scums, to be unsuitable for reclamation processes, including any substance which will cause the ALCOSAN facility

to be in non-compliance with sludge use or disposable criteria, guidelines, or regulations developed under §405 of the Act, any criteria, guidelines, or regulations promulgated pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or State Law or regulations applicable to the treatment or disposal of such effluent or such product.

102.2.12 Rain or storm water.

§103 ALCOSAN Regulations Incorporated. No person shall take any action or do or cause to be done anything in violation of any rule or regulation of ALCOSAN.

The Pretreatment Regulations of the Allegheny County Sanitary Authority are incorporated into this chapter by reference as though fully set forth herein.

§104 Liability and Penalties. Any person violating any provision of this chapter shall, upon conviction, be punished by a fine not to exceed the sum of three hundred dollars (\$300) for each offense, recoverable with costs, and in default of payment of the fine and costs, shall be subject to imprisonment in the Allegheny County Jail for a period not exceeding thirty (30) days. Each day a violation is continued shall constitute a separate offense. In addition, any person violating any provision of the ALCOSAN Pretreatment Regulations may be subject to administrative and civil penalties as provided for by the Pretreatment Regulations and administered by ALCOSAN. Such penalties may include, but are not limited to, injunctive relief and penalties of up to twenty-five thousand dollars (\$25,000) per day, per violation as provided for by the Publicly Owned Treatment Works Penalty Law, 35 PS 752.1 et seq. Authority to so enforce the Pretreatment Regulations is granted to ALCOSAN and is in addition to, but not in place of, any other remedy available to the Municipality.

§105 Connection Requirements and Fees.

105.1 Definitions

105.1.1 Accommodated Building or Property: A building or other improved property requiring sanitation facilities pursuant to applicable law and having a municipal sanitary sewer line available for direct connection without traversing the private property of others except through public sewer easements.

105.1.2 Connection Fee: A fee for connection of the Accommodated Building or Property to the Sewer System.

105.1.3 Lateral or Lateral Sewer Lines: Private sanitary sewer lines designed and built to provide direct service connections from an Accommodated Building or Property to the Sewer System.

- 105.1.4     Sewer System: The sanitary sewer system of the Municipality of Mt. Lebanon.
- 105.2     Connection Required: The owner of any Accommodated Building or Property within the Municipality of Mt. Lebanon is hereby required and directed to take all steps necessary, pay established fees and cause to be constructed a Lateral Sewer Line on such property to connect such Accommodated Building or Property to the Sewer System. Where such Sewer System is not presently available, such Lateral Sewer Line shall be constructed within ninety (90) days of Sewer System availability as determined by the Municipal Manager. Such connection shall be constructed pursuant to standards established by municipal ordinance, Allegheny County ordinance or regulation or other applicable law. If any such building does not have interior plumbing facilities, the owner thereof is hereby required and directed, within ninety (90) days of the effective date of this Ordinance, to construct such interior plumbing facilities pursuant to standards established by the Allegheny County Department of Health. No outhouses or other types if outdoor sanitation facilities are permitted.
- 105.3     Notice to Connect: The Municipal Manager shall give written notice to all owners of Accommodated Buildings or Property who have failed to make connection to the Sewer System pursuant to §105.2 hereof. Such notice shall direct the owners of such property to make connection to the Sewer System within forty-five (45) days from the date of the notice. Any person, firm or corporation that shall have received such notice and that shall have failed to make such sewer connection within said forty-five (45) day period shall then be in violation of this Chapter and subject to penalties under this Mt. Lebanon Code. Upon failure to make such connection upon notice as specified above, the Municipality of Mt. Lebanon, in addition to all other penalty and enforcement provisions herein set forth, may, at its option, cause such connection to be made and collect the cost thereof from the property owners by municipal claim or in an action in assumpsit.
- 105.4     Connection Fees.
- 105.4.1     Sewer Connection Fees Shall Be As Follows: Per equivalent dwelling unit (EDU): one hundred dollars (\$100)
- 105.4.2     Each EDU shall be defined as a flow equal to three hundred fifty (350) gallons per day.

**PART 2**  
**PROHIBITION OF ILLEGAL SURFACE STORMWATER CONNECTIONS:**  
**DYE TESTING**

§201     Definitions.

- 201.1     Blocked Drain: A drain, which when Dye Tested, does not discharge to the sanitary sewer, and which also cannot be observed to discharge to the surface or subsurface drainage system.
- 201.2     Dye Test: A plumbing test conducted according to professional plumbing standards in which dye is introduced into the storm water collection system of real property to determine if surface storm water is entering the sanitary sewer system.
- 201.3     Evidence of Compliance: An official written statement issued by the Municipality that it has on file a written certification from a plumber registered and licensed by Allegheny County that there are no Illegal Surface Storm water Connections into the sanitary sewer system such as roof leaders, yard drains or driveway drains, and no Blocked Drains.
- 201.4     Interim Evidence of compliance: A statement from the Municipality issued pursuant to the terms of §205 of this Chapter.
- 201.5     Illegal Surface Storm water Connections: The connection of roof leaders, yard drains, driveway drains or other connections conveying surface storm water into the Sanitary Sewer System.
- 201.6     Person: Any natural person, association, partnership, corporation, syndicate, institution, agency, authority, or other entity recognized by law as the subject of rights and duties.
- 201.7     Sanitary Sewer System: A system of pipes which carries sewage and is maintained and operated by the Municipality.
- 201.8     Improved Property: Real property on which any building, driveway or parking pad, or other surface or subsurface improvement has been constructed, installed or erected.
- 201.9     Sale or Conveyance: The sale, transfer or conveyance of any interest in real property, provided, however, that a refinancing of real property, without a conveyance, is not a Sale or Conveyance under this Ordinance.

§202     Connections. The connection of roof leaders, yard drains, driveway drains or other connections conveying surface storm water from an Improved Property into the Sanitary Sewer System is prohibited.

§203 Sale or Conveyance without Evidence of Compliance. Sale or Conveyance without Evidence of Compliance is Prohibited. After the effective date of this Ordinance, it shall be unlawful for any persons to sell or convey, or to purchase or accept the conveyance of, any Improved Property within the Municipality without seller first delivering to the purchaser Evidence of Compliance or Interim Evidence of Compliance issued by the Municipality.

§204 Procedure for Evidence of Compliance. Any person (hereinafter “Applicant”) selling or conveying any Improved Property located within the Municipality shall make application for Evidence of Compliance on a form furnished by the Municipality. The Applicant shall then have a plumber who is registered and licensed by Allegheny County perform a Dye Test on the Improved Property to be sold or conveyed. The plumber shall complete the appropriate portions of the form certifying that the Improved Property has been Dye Tested and certifying the results of such Dye Test. If there are no Illegal Surface Stormwater Connections or Blocked Drains, the Municipality shall issue Evidence of Compliance. If the Dye Test reveals the existence of an Illegal Surface Storm water connection and/or Blocked Drain, no Evidence of Compliance will be issued until the illegal connections are removed and/or the Blocked Drain cleared. Correction of any deficiencies and certification of such correction shall be completed by a plumber registered and licensed by Allegheny County and the certification conveyed to the Municipality.

204.1 Valid Evidence of Compliance shall expire three (3) years following the date of issuance of the Evidence of Compliance. If any additions to the Improved Property are made within the three (3) year period, certification that the addition has no Illegal Surface Stormwater Connections and no Blocked Drains shall be provided by a plumber registered and licensed by Allegheny County to the Municipality.

§205 Interim Evidence of Compliance.

205.1 Interim Evidence of Compliance may be issued at the Municipality’s sole discretion upon application to the Municipality when either:

205.1.1 The Applicant demonstrates that Dye Testing cannot be performed because of weather conditions; or

205.1.2 When an Illegal Surface Stormwater connection and/or Block Drain is discovered and the necessary remedial activities to correct such connection are so complex and time consuming that they create a practical hardship for the Applicant.

205.2 Requirements for Applicant to Obtain Interim Evidence of Compliance.

205.2.1 The Applicant shall provide the Municipality with security in form of a certified check in the amount of two hundred dollars

(\$200) to guarantee that the Dye Test will be performed. The Applicant or a purchaser of the Improved Property will cause the Dye Test to be performed within fourteen (14) days following written notification from the Municipality. The notification will be given at such time as the Municipality determines, in its sole discretion, that weather conditions make the Dye Test possible.

205.2.2 The Applicant shall provide the Municipality with a signed, written agreement with the purchaser in a form provided by the Municipality in which the purchaser agrees to conduct the Dye Test and to correct, at the purchaser's sole expense, any violations discovered as a result of the Dye Test. Nothing in this section shall prohibit any purchaser from requiring the Applicant to reimburse the purchaser for any costs incurred.

205.2.3 Interim Evidence of Compliance may be issued only when the Applicant provides the Municipality with an executed contract between the Applicant or the purchaser and a plumber registered and licensed by Allegheny County requiring the plumber to conduct the Dye Test and/or complete the necessary remedial work and granting the Municipality the legal power to enforce the contract, and a license granted by Applicant and purchaser for the Municipality to enter upon the Improved Property to complete the work in case of default by the parties, and a certified check in the amount of said contract, posted as security with the Municipality. Any required remedial work must be completed and certified by a plumber registered and licensed by Allegheny County.

205.2.4 The Interim Evidence of Compliance shall expire six (6) months from the date of issuance. The Applicant and the purchaser shall be advised of the expiration of the Interim Evidence of Compliance, the security shall be forfeited, and the Municipality may use the security to have the necessary testing and/or remedial work completed and pursue any other remedies or penalties pursuant to this Part 2. The Municipal Manager, in his sole discretion, may extend the Interim Evidence of Compliance for one additional six (6) month period

§206 Costs Incurred. All costs incurred by the Municipality for correction of any Illegal Surface Stormwater Connection and/or Blocked Drain shall be a municipal lien on the Improved Property, and collectible pursuant to applicable law, and no agreement between the Applicant and the purchaser shall affect the Municipality's enforcement powers or excuse the Applicant or purchaser of Improved Property from performance of its obligations.

§207 Promulgation of Forms.

The Municipality shall establish the form of applications, Applicant/purchaser agreements and plumber certifications for the operation and enforcement of this Part 2.

§208 Fees.

The following application fees are hereby established:

Evidence of Compliance: \$50

Interim Evidence of Compliance \$200

The Commission shall be empowered to re-evaluate the required fee amount from time to time to make necessary alterations to it. Such alterations shall not be considered an amendment to this Chapter, and may be adopted at any public meeting by resolution.

§209 Penalties.

209.1 Any person violating the provisions of this Part 2 shall, upon conviction, be punished by a fine not to exceed the sum of three hundred dollars (\$300) for each offense, recoverable with costs. Each day a violation is continued shall constitute a separate offense.

209.2 In addition to the penalties and other remedies provided herein, any condition caused or permitted to exist in violation of any of the provisions of this Part 2 will be deemed a public nuisance and may be abated by the Municipality with the costs of such abatement charged to the person or entity owning the property upon which such condition may exist. Such costs will be collected for the use of the Municipality as provided by law, including without limitation by a municipal claim or lien.

209.3 In addition to the enforcement provisions set forth herein, the Municipality may institute an appropriate action or proceeding at law or in equity against a person responsible for violation of any of the provisions of this Part 2 and request either or both of the following remedies:

209.3.1 To cease, correct or remove the violation.

209.3.2 To enforce the penalty provisions of this Part 2 or to seek other remedies as are just and reasonable.

§210 Effective Date.

210.1 This ordinance shall take effect on November 1, 2004.